MEMOIR
OF
COSMO INNES

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MEMOIR OF COSMO INNES.

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PREFACE.

THE following brief and imperfect Memoir of the late Mr. Cosmo Innes is attempted more in the hope of pleasing his many friends of all classes than of satisfying the literary world, or his own immediate circle, domestic or social. Some who have studied under him, either professionally or non-professionally, may be glad to know a few particulars of a life not uninteresting, though its interest is of a calm and unexciting sort. Dean Milman on a similar occasion said of Lord Macaulay that the life of a literary man is best seen in his works. Probably in most instances this is eminently true, but Cosmo Innes, to those who knew him, was by no means the mere literary man; his life was one of action quite as much as of study or reflection; in-

deed, his sanguine temperament and admirably balanced mind induced in him a perhaps excessive contempt of the mere "bookworm," as he was wont to style those who allowed study to absorb their physical or social powers, and a favourite subject of expatiation, even to young people, who do not generally need exhortation *not* to "mind their book," was on how much more was to be learned outside of books (from nature, society, and the circumstances of life) than within their boards. His opinions on this subject are beautifully stated in several of his works. It was one he delighted to trace out and illustrate from the Greek philosophers downwards.

And even in so far as his was a literary life, his subjects were so entirely impersonal, and he so extraordinarily devoid of egotism, that hardly a trace of himself is to be found throughout his writings.

Only in the last of them, the Biography of Dean Ramsay, prefixed to the twenty-second edition of his *Scottish Life and Character*, does he for the

first and last time say a few words about himself—words (to those who know the circumstances to which they allude) as beautiful in their noble, cheerful calmness, as any last words, real or imaginary, of any hero or martyr. The circumstances presently to be detailed will explain our meaning.

To the Editors of the *Scotsman*, the *Courant*, the *Glasgow Herald*, the *Athenæum*, and the *Pall Mall Gazette*, the writer's best acknowledgments are due for their admirable obituary notices—some of the materials of which are here reproduced and recognised.

September 1, 1874.

CHAPTER I.

BIRTH AND PARENTAGE.

Durris—Deeside—School—College—Bachelor cookery—Escapes from Drowning and from Mountain dangers—Irish Experience—Sport.

Cosmo Innes was born on 9th September 1798 at the old manor-house of Durris (pronounced *Doors*), on Deeside, where his father, a scion of the house of Innes of Innes, and formerly the laird of Leuchars, in Morayshire, resided for many years, and from which he was ejected by a decree of the Supreme Court on a question of Entail law. Mr. Innes himself, in the before-mentioned memoir of Dean Ramsay written this year of his death, says as much on the subject of the ejectment as he thought it becoming for him to say.

In describing the old manor-house of Durris he writes: "It is a place of some interest to lawyers, for having given rise to one of the leading cases on the law of entail, which settled points that had formerly

been doubtful, all in favour of the strict entail. The victim in that case, ejected by the heir of entail, was John Innes, who had sold his property in Moray to invest the produce in the great barony of Durris. The new tenant, believing himself almost proprietor, built a comfortable house under the walls of the old castle, and in that house was born the writer of these notes.

"I do not feel myself severed by any disgusts from the country of my youth, where I spent my best years, or at least the years of most enjoyment. It was then a wild moor, with some natural beauty, a picturesque den leading from the house to the noble river, wooded with native birch and scrubby oak, with some tall larches and magnificent horse-chestnuts, and even a few immemorial Spanish chestnuts, planted by the old Peterboroughs, now all gone. Along that river-bank were some of the broadest haughs with which I am acquainted, and some of the best salmon streams, up to Cairnmonearn and Kirloach, giving the best grouse-shooting in the country. It is, in truth, a charming water-side, even in the eyes of a critical old man, or of a tourist in search of the picturesque; but for a boy who lived there, shot and fished there, while all the houses round were the dwellings of cousins and friends, while game was not yet let for

hire, it was a place to win that boy's heart, and I loved it very heartily."

We shall not here defeat Mr. Innes's dignified reticence by entering into the legal merits of the case. It is one well known to lawyers occupied with property law, and is to be found detailed in its proper place. We refer to it only to remind our readers of the significance of its effects on the minds of the large young family growing up in that old manor-house, over whose heads hung year after year, for the whole period of Cosmo's youth, the alternative of wealth in a much-loved country home or—ruin. Ruin came, and, for Cosmo, at the age when of all others perhaps the mind is most affected by outward circumstances. All the detail of that time is too painful to be exposed to the eyes of strangers; but the heroic efforts to conquer fate, and the dignified attitude under misfortune of the whole family, must not remain unmentioned, nor the self-devotion of one, in particular, to whom through life Cosmo Innes delighted to acknowledge the depth of his obligation, to ascribe the merit of every success of his life. We speak of his mother, beautiful Euphemia Russell. She too, like her namesake the lady of Blackhall, might be described as a woman of many sorrows.

Her gallant, hearty, sanguine-tempered husband,

though tenderly loving, nay adoring, her, could hardly share any of her burdens. On her devolved all the anxiety of bearing and rearing sixteen children, amidst the constant, wearing suspense of the great lawsuit in the first place, in extreme poverty in the second. Of her sixteen babes she saw the larger number droop and die in childhood. Few of them reached adult years; none, except Cosmo, accomplished anything like the full span of human life—the threescore and ten. Cosmo was the youngest of the sixteen, except one sister, Elizabeth. Next to himself, she was also the longest survivor. She died at South Queensferry in September 1854 or 1855.

Cosmo was in childhood extremely delicate, and his excellent mother valued learning far beyond house or land, or even health.

During his childhood his family spent the winters in a house in George Square (Edinburgh), and he was early sent to the High School, where he pursued his studies under the excellent Rector, Pillans, with such success as his frequent illnesses (even then he was subject to torturing headache) would permit. He was frequently restored to his mother's arms as a nurseling when, despite her tender love for him, her strong desire for his advancement made her wish him at school. Notwithstanding these drawbacks, his recol-

lections of his school life were entirely agreeable; but to such hindrances it was probably owing that, although showing very early strong literary tastes and an aptitude for classics, he took no distinguished place at the High School.

It must have been at a late period of school life when the family misfortunes, then imminent, though not accomplished, led them to reside for a time at Stonehaven (Stone*hive* in popular, and always in Mr. Innes's, pronunciation), that he for a time attended the parish school there. The master of that one, of those never-too-much-to-be-praised institutions, Scotch parish schools, was wont to instruct his pupils in an unsystematic way, by experiment or familiar example, in the elements of natural science, the only instruction in this subject it is believed which Mr. Innes ever received.

He was at College at Aberdeen, Glasgow, and Oxford successively. While attending the College classes at Aberdeen he and a brother similarly employed boarded with the Episcopalian clergyman of the town. The family residence was still chiefly at Durris, little more than twenty miles from Aberdeen, whence the two lads walked up the river-bank homewards for all holidays, and returned in the same manner after them to their studies, with many a digression,

we may be sure, in pursuit, at first, chiefly of nuts, in which the river-banks are rich. One memorable walk furnished a laughable little incident of bachelor life, often related in after years. The two boys, bearing the whole of their slender wardrobe about their persons or in their hands, fell from the nut-bushes into the river, or voluntarily went into it, perhaps, in hope of *guddling* trout, or for who knows what boyish reason. To our tale it suffices that they reached Aberdeen entirely saturated with wet, insomuch that their kind host and his servant lass had to bestir themselves to find them dry garments. All were forthcoming, except the inexpressibles worn next the skin. These could not be furnished, because they were at the moment being used for a culinary purpose.

An expert but not remarkably strong swimmer, Mr. Innes thrice in his life just escaped losing it in the waters of his beloved Dee, or its adjacent streams. The first occasion was in so early life that he himself knew of it by tradition rather than recollection. Some of his early ill-health was considered attributable to an immersion under ice, concealed by the elder children, who were responsible for it, till the delicate infant was thoroughly chilled. The second was in early manhood, while Durris was still his home, and took place at no great distance from the house, while endeavour-

ing to swim the river while in *speat*, accompanied by his brother next in age, Thomas. His experience then, as also in his other similar mischance, completely bears out the opinion of the entire painlessness of death by drowning. In both instances consciousness was completely gone before he was rescued, and the only physical discomfort connected with the experience was the gradual restoration to life. Before consciousness departed, he described his mind as remaining entirely calm and alive to his position; probably thought was carried on with unnatural rapidity, for with his perfect knowledge of the locality of his accident, he described himself as aware, after he had sunk to the bottom of the river, that he was rolling shoulder over shoulder against it in a place in which he perfectly knew that, in the then state of the stream, there must be twenty feet of water above him. Having no hope whatever of his life being saved, his thoughts travelled on to the spot at which he felt sure "the body" would be found. He imagined what men, from what house, would find it, and how on a litter of branches they would convey it home. His last thought was, "I would not like to be them when they meet my mother." His next sensible impression was of an extreme coldness, and of the loud shouts for aid of his brother Thomas, who, a much stronger

swimmer than himself, had dived after him, and succeeded in raising him to the surface of a then submerged rock almost in the middle of a deep rapid channel of the river. The shouts for aid at last reached human ears, and with the help of ropes both brothers were drawn from their perilous position.

Scotland in those days was a widely different place from what it now is, and it has changed in some respects which are not always remembered. While the improvement of roads and formation of railways and steamboats has done much to abridge distance, it has in some instances greatly lengthened it. As for instance, in two neighbouring rudely parallel valleys, one may now have to travel to the mouth of the one and ascend the whole length of the other to reach a house which would formerly have been sought by some wild mountain-road now disused and forgotten. Speyside and Deeside then counted each other near neighbours; now few enter either except by the circuitous route of Aberdeen and the northern railway. The map will show the little valley of the Nairn as divided from Deeside by the highest and wildest country in Scotland, yet through that country it was possible for an active man on foot to achieve within the twenty-four hours that which would now form two days of railway travelling. Dangers from rock, stream,

and morass were not then, as now, encountered merely when in pursuit of amusement, but were inevitable incidents of travel. Riding was then, for men at least, but for women also, almost the only mode of travelling, except walking. It is well known that a good walker can get over more ground in a given time than a horse burdened with his weight, and few horses indeed could have served Cosmo Innes in his best days as did his own legs. He was, however, excessively fond of riding and of horses, independently of any use from them. From his earliest years of manhood he had a strong attraction in the valley of the Nairn, in the lady who afterwards became his wife. Many a perilous journey did he undertake and accomplish across the rocky mountain-chains which separated their respective homes, encountering once at least that greatest of all mountain dangers, fog, whilst still high amongst the mountains traversing a huge bog. On this occasion he was mounted, but a horse is of all companions in a bog the worst, the creature's excessive terror increasing the risk and fatigue to his rider. Mr. Innes's became so thoroughly jaded that he performed the latter part of his journey on foot, urging the tired animal on before him. It was not till far on in the night that the grey towers of the hospitable old castle of Kilravock rose to view, occasioning him then,

as ever, a peculiar joy, enhanced by the dreary wilderness from which he was emerging, so strong and deep that he could hardly restrain screams of delight.

It may be supposed that so much open-air life, so keenly enjoyed, was unfavourable to study. Mr. Innes's opinion was strongly to the contrary. As already stated, he valued the lessons learned on mountain and moor much more than those drawn from books; but in his case, as in that of many others of our young countrymen, both sorts of education went on side by side, and Mr. Innes never through life appeared to think that if he had loved the moors, his horses, his dogs, and his gun less, he should have loved his books more. His progress at Glasgow and at Oxford, though satisfactory to his instructors, was not attended by any particular distinction—not from any idleness or lack of regularity on his part, but to that degree of originality of mind which ever seems to prevent a man who is anything else, from being a distinguished "academic man." Such a man pursues knowledge by courses of his own finding, complying with laid-down rules of study only so far as is required. Life at Oxford he found extremely delightful, and through life he retained the almost passionate love for his Alma Mater which is so generally entertained by her sons. At Oxford he made one friend who re-

mained his friend till death—the Rev. Richard Butler, Dean of Clonmacnoise, and Vicar of Trim (Ireland). This gentleman, a few years Mr. Innes's senior, and a first-class student, became his tutor while he was at College, and remained his close friend, adviser, and sympathizer, present or absent, through life. Mr. Butler married Miss Harriet Edgeworth—younger sister of Maria Edgeworth the authoress, who, since her husband's death, has printed a memoir of him, consisting chiefly of his letters to Mr. Innes.

One vacation Mr. Butler accompanied Mr. Innes home to Durris, another was spent at Mr. Butler's vicarage at Trim (then a bachelor establishment), where, among other delightful varieties of Irish life, the gentlemen found themselves obliged in rainy weather to hoist their umbrellas over their heads whilst they lay in bed, to prevent the rain which came through the roof from dropping on their faces. This, although Mr. Butler was never a poor man. Mr. Butler was far more a man of books than was Mr. Innes, and in his visits to Durris, as well as in some of his intercourse with Mr. Innes at Oxford, he felt the severance between them caused by Mr. Innes's love of sport of all sorts, in early life and indeed through his whole life almost a passion. But, because he himself did not share these tastes, Mr. Butler never with-

held from others his sympathy in their pleasure in them. Even more than Mr. Innes did he deplore in any one (not excepting himself), an exclusive predilection for books. Mr. Innes's love of sport, like that of Scotchmen of his date, was something entirely different from the feeble and effeminate thing which has taken the place of it among the luxurious young aristocrats who now rent Scotch shootings, who sit slippered by the fireside till the day is half gone, then saunter out with an attendant to perform every office except the final *coup-de-grâce* to the object of pursuit. So pursued, sport strikes one as a cruel and brutal amusement. Very different was the young Scotchman's hard day's work—to fill the family larder in the first place, and secondarily to strengthen and invigorate his own frame, and fill his mind with the indelible impressions of the scenes of his native land, never so favourably seen as by the sportsman. Mr. Innes's idea of a day's sport was to rise and be at his shooting-ground before daybreak, with any companion or assistant who might offer, or with none, and to pursue his game despite all impediments of wind, weather, etc., till daylight failed in the evening. He was idolized by the often humble companions of his sport. His manner, indeed, to all classes of his social inferiors was peculiarly happy, but many of the most experienced of

those persons whom it is now the fashion to style *gillies*, used to find it almost impossible to keep up with this studious gentleman, so eager was he in his favourite pursuit. No sort of sport came wrong to him; he had fox-hunted in England, and stalked deer in Mar forest, as he would no doubt have tiger-hunted had he been in Bengal; but grouse-shooting was of all sports his favourite. His love for it made all around him love it too. Mr. Innes's good spirits—and his spirits never were so good as during a day's grouse-shooting—never had anything overbearing in them. He always sought to extend his happiness even to the meanest of his followers.

Having perhaps wearied our readers with these recollections of our boyhood, we next turn to that epoch which in real life, as in romance, would be of all the most interesting could it be treated with unreserve. But lest we should offend the feelings of one still living, we must dwell but slightly on the beautiful tale of a good man's love for a beautiful girl, who never to the end of that man's life lost one grain of that inestimable treasure.

CHAPTER II.

BEGINNING OF PROFESSIONAL LIFE, MARRIAGE, AND DOMESTIC LIFE AT RAMSAY LODGE.

Wise advice—Followed—Reunion of family—Mr. Thomas Innes—Ramsay Lodge—Visit from Mr. and Mrs. Butler—Society—Greek suppers—Charade parties—Death of Mrs. Euphemia Innes—Summer arrangements—Literary labours and habits.

AFTER the usual curriculum Mr. Innes passed as an advocate at the Scottish bar in the year 1822, and in 1826 married Miss Rose of Kilravock. His practice was never large, but very early in his career his abilities in one particular line of his profession were discovered. In cases in which deep research into ancient documents, and the study of that to most people tiresome subject of genealogy, were required, he was frequently employed. His first case of this description was that of the Forbes Peerage, about the years 1830, 1831, or 1832.

All-important, however, as this important brief must have appeared to the all but briefless barrister,

an acquaintance made about this time was of more importance both to Cosmo Innes himself and to his future services to the law and literature of his country. We allude to that of the late Mr. Thomas Thomson, who found in Mr. Innes an invaluable assistant in his labours among the confused mass of ancient documents then lying without order or arrangement in the Register House. Mr. Innes for but small remuneration gladly assisted him, and so commenced that extra-professional part of his labours which he continued with ever-increasing zeal to his dying day. The remuneration, small as it was, was acceptable. It began just as Mr. Innes had resolved on a marriage dictated by love alone, nothing in his position being less prudent than an early marriage with a portionless though well-born young lady. In his doubt about this important step, Mr. Innes consulted his constant adviser Mr. Butler as to the prudence of his espousing, on his very uncertain means, a young lady of somewhat superior social position to his own, and accustomed to many luxuries to which he was not—only nineteen years of age, the eldest of a large and impoverished family. Mr. Butler was a man far too truly wise not to know that apparent imprudence is often the really most sensible course. He knew his former pupil too well to

dissuade him from a step on which he knew his heart was set with all the strength of his peculiarly strong affections. The advice of this calm, considerate, somewhat timid-natured man, was to "marry the wife and cherish the family,"—counsel of course as readily obeyed as is any advice which entirely coincides with a predetermination. It should be added, however, that the first clause of the counsel was not the only one followed. Mrs. Innes's fourteen younger brothers and sisters, two of whom were younger than her eldest child, were ever welcome inmates of the already pretty full and not too rich *ménage* of the young couple, as soon as they had any *ménage* which they could call their own.

Immediately on her marriage, Mrs. Innes was with beautiful hospitality, no less beautifully accepted, affectionately received into the poor little home in the bleak little fishing town of Stonehive (the supposed Fairport of Sir Walter Scott's *Antiquary*). When she accompanied her husband to resume his professional labours in Edinburgh, it was into a small house in a common stair, which, until Cosmo's marriage, had been shared between him and his brother Thomas. Neither of these habitations was long occupied by the young couple. A house in Stafford Street was the birthplace of their two eldest children. After

that the strong family affection which characterized Mr. Innes, as well as all the other members of his family, led all to desire the reunion of its remaining members. Euphemia Russell (Mrs. Innes, senior) was now a widow, living with two unmarried daughters. Thomas, two years Cosmo's senior, and getting into a good business as a Writer to the Signet, was also unmarried, and heroically resolved to devote himself to his family by remaining so—a resolution which he of course did not fail duly to break, but at first the large heterogeneous family assembled at Ramsay Lodge owned him as its male head. Of Mr. Thomas Innes a few words may properly here be said. He was at the time of taking Ramsay Lodge the second surviving son of his parents. The eldest, James, much older than either Thomas or Cosmo, who had been bred to no profession, and on the break-down of the family fortunes manfully resolved to make money and redeem them, was in China, trading in tea and opium, gaining large sums and losing them again. He died without accomplishing the object of his life, about the year 1840 or 1841, long after the time of which we are now writing, which was some time about the year 1830-31.

Thomas, as well as Cosmo, was a remarkable man. His natural abilities were at least equal to those of

his brother. His mental nature, like his physical, was perhaps more massive and less refined. He was as handsome as his brother, with the difference just indicated; but that which in Cosmo was a weakness, no doubt painfully felt by himself through life, but after extreme youth controlled so as to be imperceptible to others, was in Thomas an overwhelming and unconquerable idiosyncrasy—shyness. Only those who knew Cosmo well ever discovered that a certain volubility in opening a conversation arose from a painful *mauvaise honte*, which led him to resolutely talk down his fear of the sound of his own voice. In Thomas no one could doubt the cause of the fine voice which could speak so well being so often inappropriately silent. With his own family Thomas was more frank than was Cosmo, who carried an odd and unconquerable phase of his bashfulness or diffidence (shyness, in fact), into his intercourse even with his nearest relations. Thomas had much humour. Never himself laughing, he could keep a whole party, or what is much more remarkable, a family circle, in roars of laughter. Like all the rest of the family, he was excessively affectionate, gentle-tempered, and an amiable, agreeable, member of the circle. He married about a year after his vow of celibacy, and his widow still survives.

Shortly after his marriage, the symptoms of the mysterious malady of which, after about a dozen years of varying illness, he died, began to show themselves. Cosmo suffered deeply in every change for the worse in his condition, rejoiced still more in each alteration for the better, and finally mourned, as only he could mourn, on Thomas's death, while still in the prime of a successful life. In him Cosmo was wont to say he had lost the last of those to whom he could naturally look up. Thomas did in many respects indeed fill to him a sort of parental relation, the want of which formed an irreparable blank in the remainder of the life of the younger brother.

Besides the members of his own family already mentioned—mother, brother, and two sisters—the roomy old house at Ramsay Lodge was the home on occasion of all Mrs. Innes's young brothers and sisters, whenever circumstances, educational or other, made it desirable that they should reside in Edinburgh. Here were born in rapid succession four other children of the nine which Mr. Innes's family ultimately numbered. The old house which sheltered this large and happy family was as suitable to their tastes as any which could be found within a town. It still stands, and internally is probably but little changed. It derives its name from Allan Ramsay the poet, who built it, at least in part. Many

of its rooms were pretty, and the number of them was highly convenient. The outward aspect of the house is greatly changed since the year 1830, and entirely for the worse, by the progress of improvement in the city. In the year 1830 neither the Royal Institution nor the Free Church College was built; much of what is now a smooth green bank lying between these establishments was then a piece of natural rough ground, chiefly covered with immense hawthorn-trees, which in summer bloomed like a shower of snow. One acre of this ground was the Ramsay Lodge domain. Its own private gates opened into the Princes Street Gardens. There Mr. Innes's young children could disport themselves at pleasure, imitating some of their father's early performances, to which they delighted to listen, by climbing the Castle rock when they had exhausted the delightful risks of their own hawthorn-trees. The door of the old house, opening into a spacious lobby, stood always open, like the door of a house in the country, and the children knew not what it was to be debarred free egress to the open air, green grass, and shady trees.

Mrs. Innes, senior, beginning to decline, and often an invalid, was never, to within two days of her death, unable to reach the nearest of the seats in the Princes Street Garden, where she was wont to sit and enjoy

the unrivalled prospect across the New Town and over the Firth to the coast of Fife.

At Ramsay Lodge it was that Mr. Innes first welcomed Richard Butler under a roof of his own. Mr. Butler married some years later than his younger friend. His first desire after his marriage was to introduce his bride to the family at Ramsay Lodge. She was heartily welcomed by them, and specially valued by Mrs. Innes, senior, at first for her husband's sake, afterwards for her own.

Mr. Innes was naturally sociable, his wife was at least as much so, and at all times of his life, often in spite of his resolutions to the contrary, congenial companions sought and found him. His preferences, however, could hardly be said to confine themselves to persons sharing any of his tastes. His sympathies were utterly catholic; no one having in him what he called "speculation" of any sort, *i.e.* any mind at all, was to him unacceptable. Being himself a gentleman, thoroughly, naturally, unconsciously, involuntarily, not merely the conventional "gentleman" of society, he could not actually live, could not share his domestic privacy, or sit at table with, those who were not gentlemen. This was his only limitation in the choice of his associates. At Ramsay Lodge a select few used to meet one evening in the week to read Greek plays.

Mr. Innes was wont to speak modestly of his own attainments in Greek, but such as they were they excelled those usual in Scotchmen of his date, were probably superior to those of any one then in Edinburgh, as was testified by his being offered a judgeship in Corfu, for which a Greek scholar always has to be selected—a good knowledge of ancient Greek soon enabling a man to speak and understand modern Greek. Mr. Innes declined the appointment after anxious consideration, from the conviction that a fifteen years' residence on the Mediterranean would not be favourable to the health or interests of his family.

Other assemblages of persons, now grey-headed senators, then young men of overflowing vivacity and talent, were held for the purpose of acting charades, in which the dialogue was of a quality so very much higher than is usual in such entertainments, and so often took a political turn, that it was understood Mr. Innes received a hint from a high quarter that his future prospects were likely to suffer from the sentiments thus playfully expressed under his roof.

The frequent visits of Mrs. Innes's young sisters brought society of another sort; and a warning, this time, not from an official of high rank, but from a practical mason, assured Mr. Innes that the foundations of the old house would not stand the frequent

dances which shook its walls, and that if they were continued it might be expected some day to subside into the Nor' Loch (the familiar appellation of the Princes Street Gardens, in which there still at that time remained a central swamp, the trace of the time that it was an actual lake). The warning was not heeded; many were the merry dances which the old house still weathered through.

A deep gloom was thrown over a part of the time spent at Ramsay Lodge by the illness and death of Mrs. Innes, senior, which occurred about the year 1833 or 1834. The grief of her family was profound and enduring. Cosmo, then the father of four tenderly-loved children, declared he would rather have lost them all than his mother. His Advocate-deputeship, bestowed on him by the Whig ministry on their coming into power on the passing of the Reform Bill, highly esteemed both for its honour and profit, revived the deep heart-grief. "Oh that my mother had lived to know this!" was his first expression of feeling on the occasion.

Ramsay Lodge, when first taken, was supposed so completely to combine the advantages of town and country that no annual change to the country would be found necessary. This did not prove to be the case. For Mr. Innes, continued residence in a town,

under any conditions, was impossible. As summer advanced he fretted amongst stone walls, and on the approach of the glorious "Twelfth" panted to be after the grouse as a war-horse for the battle. Aberdour or some other of the pretty villages of the Fife coast were sought for country air, but so near a resting-place seldom sufficed; part of the family generally remained in the sea-side lodging, while Mr. Innes, either alone or with Mrs. Innes or some part of his family, accepted some of his always numerous invitations to country houses in the Highlands.

At Ramsay Lodge no flowers grew well, or almost at all, the steep bank on which it is situated facing north, and being consequently sunless, besides receiving a considerable part of the smoke of the town. This want was a severe privation to the flower-loving family. A more serious inconvenience was the, at that time, excessively bad access to the house. Just in *bad weather* no wheel-carriage could reach it either from above or below, and it happened more than once that gay parties of ladies had to alight from their vehicles and struggle in satin slippers up a snow-covered hill. This difficulty of access, besides the distance of the place from the more fashionable parts of the town, was supposed even to prevent the increase of practice, and about the year 1835 or 1836

the old house was left for a modern one, No. 6 Forres Street, close to Moray Place.

The professional and non-professional employments mentioned in the beginning of this chapter were by no means the only serious occupations of the years between 1822, the one in which Mr. Innes passed Advocate, and 1833, which was about the time he became an Advocate-depute.

Within those years were formed most of the literary connexions which furnished outlet for Mr. Innes's lighter productions.

A complete list of his contributions to the *Quarterly Review*, while still under the editorship of Mr. Lockhart, would be difficult now to obtain. To that, as well as to the *North British*, he was a frequent contributor. Before he had left Ramsay Lodge he had also begun to edit Cartularies for both the Bannatyne and Maitland Clubs. The amount of work achieved, while also generally joining in the society and amusements of his family, seems almost incredible. It is partly to be accounted for by Mr. Innes being a constitutionally bad sleeper. He seldom slept more than a few hours any night, and never took any siesta during the day. He frequently rose, and of course set to work with that energy which he threw into all his pursuits, as early as four or five in the morning, though he never

retired to rest till past midnight, and often much later. There was no system or predetermination in this, and his hour of rising, though always early, was not always the same.

When unable to sleep he rose, and without complaint or remark continued his labours where he had left them off at night. Want of sleep did not appear to exhaust him or hurt his health. His health at this period of his life, and indeed during his whole life after childhood, was strong in a certain sense,—in the sense of enduring much exertion and any amount of exposure to weather; it was never perfectly regular or unvarying, as is the health of some less strong people.

Few years passed without his family having several serious alarms from somewhat sudden illness of different sorts in him, sometimes violent headache, at others feelings of faintness, giddiness, or other dyspeptic symptoms.

The later years were less subject to these disagreeable interruptions than were those of middle life.

CHAPTER III.

ADVOCATE-DEPUTESHIP AND LIFE AT SOUTH QUEENSFERRY.

The Jeffreys and Craigcrook—Fever and consequent deafness—Stirling trial—M. Teulet—The Hawes—Dalmeny—Mrs. Francis Rose—Anne Dallas—Janet Dallas.

THE new house, No. 6 Forres Street, which Mr. Innes purchased, was the only entirely town residence ever inhabited by him and his family. In many respects the change from Ramsay Lodge was felt to be a privation. The compensations were found in the close neighbourhood of Lord Jeffrey's hospitable house, No. 24 Moray Place, at which, as at the charming villa of Craigcrook, Mr. Innes and his family were more and more frequent visitors. Lord Jeffrey's house, and the houses of his friends Lords Murray, Cockburn, Rutherfurd, and a few more, were the brilliant remains of the old Edinburgh society, the society adorned by Sir Walter Scott, Mr. and Mrs.

Dugald Stewart, etc., and which charmed and attracted within its circle Sydney Smith, the Horners, Moreheads, and many other Southrons, who found in Edinburgh an assemblage of talent unrivalled then in any town in Europe. As a light flickers brightly before it expires, so did the small group of brilliant talents still remaining in Edinburgh shine with no diminished ray just before their setting, and the centre of the group was unquestionably Jeffrey and Craigcrook. As his talented contemporary Lord Cockburn has painted, as only he could, the charm of the society and conversational life of that house, we will here allude merely to what the house and its inhabitants were to Mr. Innes and his family. The ladies of the family, Mrs. and Miss Jeffrey, were no less charming in society than was the great critic himself, and all three, besides the charm of high intellect, possessed in the utmost perfection the far more endearing charms of constant prompt kindness, cheering sympathy, ever ready friendship. At the town house, close to Mr. Innes's own, as at Craigcrook, there was for him and his an ever open door, an unfailing hearty welcome.

For years the families met daily—Mr. Innes's, as being the younger and less wealthy, being the recipients of that pleasant overflow of small good offices

which it is so pleasant to rich people with kind hearts to bestow, and so sweet to those who love them to accept. Craigcrook was the receptacle for Mr. Innes's sick children, obnoxious dogs, unthriving plants (even under the most unfavourable circumstances Mr. Innes's household never abandoned attempts at floriculture); while from Craigcrook came on all birthdays, all occasions of special festivity or decoration, such flowers from Mrs. Jeffrey's greenhouse, such toys, such sweetmeats, as only Mrs. Jeffrey could think of, and always think of at the right time.

During Mr. Innes's stay in 6 Forres Street he had a dangerous attack of typhus fever. As soon as he could be moved, Mrs. Innes and he joined the charming circle at Craigcrook till he had completely regained strength.

An unfortunate consequence of this fever was a deafness, at first slight, but which, resisting all remedies, went on increasing through life. It never reached such a height as to cause the use of a trumpet, or to be any very serious drawback in *tête-à-tête* or business intercourse, but in society it, most unhappily to himself, increased Mr. Innes's natural shyness to such a point latterly, that the nervous volubility which once had only characterized the beginning of a conversation frequently extended over the whole of it. He became

in great measure unable to perform that most essential part in conversation, that of the listener. He *would not* ask his friends to repeat themselves, according to the tyrannical custom of some deaf people. Consequently conversation with him sometimes went on at cross purposes, while at the foot of his own hospitable table he during his latter years systematically adopted the habit of discoursing almost without interruption. No doubt what he said was always well worth hearing, yet no one more fully than he was aware that such a continuous stream of eloquence was out of place, and but a poor substitute for real conversation. He gave it as the best he had to give. Those who could remember what had been, felt the difference painfully.

In Forres Street were born to him his three youngest children, and there occurred the first break in the family, in the death of one of those whom he had brought with him from Ramsay Lodge. His second daughter, a pretty little girl of seven, christened by Edward Ramsay (as were all his children) by the name of Euphemia, after his beloved mother, sank under an attack of scarlet fever.

The most important incident of Mr. Innes's Advocate-deputeship was the great Stirling case, in which as Crown Advocate he was employed in collecting evidence against the prisoner, the self-styled Earl of Stirling,

Mr. Humphrey. Mr. Humphrey was an accomplished gentleman, of unblemished moral character, whom an actual connexion with some members of the Stirling family led to assert—possibly to imagine—himself the lawful heir to immense territories in Canada and a good estate in Scotland.

There was a missing link in his pedigree, and Mr. Humphrey, pressed by temporary impecuniosity, forged, or caused to be forged, documents to supply the blank.

No one at all behind the scenes in that most curious case can doubt that such was the real truth, but the evidence for the Crown failed to obtain a full conviction.

The jury brought in a verdict of *Not proven* on the charge of forgery against the prisoner. The documents they considered to have been proved forged, but the prisoner not proved to have forged them, or been accessory to their forgery. It can do no harm now to mention that this great issue arose out of so small a circumstance as an appropriation by a waiting-maid of a trifling article of dress belonging to a lodging-mistress. This principal witness in the case, the confidential maid of the great Parisian sorceress (fortune-teller) Mademoiselle Le Normand, in whose house the forgeries were proved to have been per-

petrated, and whose maid was prepared to swear to the constant frequentation of that house by the prisoner, and who had seen him there constantly manipulating documents, was at the last moment withdrawn by the Crown counsel, because in this slight but flagrant and well-known instance the maid's character had shown itself of imperfect integrity.

Mr. and Mrs. Innes had both gone to Paris to collect evidence in this important case. Mrs. Innes having been educated in France, possessed a knowledge of colloquial French in which Mr. Innes was deficient. He read both French and Italian fluently, and was well versed in the literature (the ancient especially) of both languages, but a defective ear prevented his ever acquiring a correct pronunciation, in French at least. He would speak it when in company with Frenchmen quite unacquainted with English, but the mutual difficulties of comprehension rendered such conversations more an opportunity of good-humoured merriment than an occasion for the acquirement of information.

The witnesses in the Stirling trial, who had to be found in Paris and brought to Edinburgh in the depth of a winter of unusual severity, and when a journey to Paris was something entirely different and

infinitely more formidable than it is now, were all of the lower class, except one, the amiable and accomplished archivist Teulet. With him the acquaintance beginning in this trial, ended only with his death in 1860. Years after the trial, Mr. Innes visited M. Teulet in Paris, and M. and Madame Teulet returned the visit to their friend in Edinburgh. A regular correspondence on subjects of historical interest regarding the formerly close connexion between France and Scotland was kept up between them. M. Teulet knew no English, but Mr. Innes's written French was quite intelligible; when he desired that it should be elegant, he had to accept Mrs. Innes's assistance.

Three years after the removal to No. 6 Forres Street, on the Whig ministry going out of office, Mr. Innes ceased to be a Depute Advocate. This change rendering economy desirable, as well as the constant longing for country scenes, determined Mr. and Mrs. Innes on retaining a small house, in which they accidentally found themselves as country quarters, for their permanent abode, and letting their own house furnished. Its situation caused it to bring a high rent.

The little place in which, to the unmixed delight of their family, they remained, was beautifully situated, near South Queensferry.

Too far, alas! for Mr. Innes's necessary attendance in the Parliament House for him to make it his constant abode. His brother Thomas's house in Castle Street had to be his home during the business days of the week.

The end of each week found him joyfully walking the beautiful ten miles (the way through Dalmeny Park was generally preferred), to spend Saturday and Sunday with his family, among the lovely woods and bays which Lord Rosebery's kindness left open to him and his at all times. As often as not, he was accompanied on these occasions by one or two pleasant friends. His own mansion at Queensferry was but small, but as if to defeat all hopes of his *ever* escaping from society, it adjoined an inn—the "Hawes Inn" of Jonathan Oldbuck (*Antiquary*)—where any number of friends could quarter themselves for the sake of enjoying the company of the family next door. Many did so quarter themselves. Many valued friends, and some less valued, who having found a way of intruding which could hardly be defeated, seemed never likely to find their way off again.

Mrs. Innes sometimes accompanied her husband (she also, for the most part, on foot) to the town on his return journey, to take advantage of some particularly agreeable invitation, generally an invitation

from the Jeffreys, with whom, during the years at Queensferry, some of the family spent part of each winter. Many were the delightful picnics originating in the weekly walks from Edinburgh to Queensferry; many were the goodly hampers carried by relays of happy children the long three miles from Queensferry to Barnbougle, to the top of the "Castle Craig," to the "Shell Beds," or some other lovely spot within the Dalmeny woods,—hampers packed with all sorts of simple dainties; just one bottle, or if the party were to be unusually large two, of claret, filling as many of its corners. During these years Mr. and Mrs. Innes received into their family a little girl from India, the child of a deceased sister of Mrs. Innes.

The little girl becoming soon after entirely an orphan by the death of her father, Mr. Grant, she remained in Mr. Innes's family till her marriage to Mr. Francis Rose of Holme (Holme being the estate marching with Mrs. Innes's paternal home, Kilravock). For this young lady's advantage a governess was twice added to the family circle; and any picture of Mr. Innes's home would be incomplete which did not include the dear old nurse of his children, Anne Dallas.

This Highland woman was a beautiful relic of the old feudal retainer. To call her a servant seems sacrilege, yet she herself showed the real superiority of

her character by never for one moment forgetting that such was her position. This it was which allowed of her being constantly taken out of her place without offence to the most fastidious refinement.

She was the niece of a woman still more remarkable than herself, who, housekeeper at Kilravock at the time of the decease of Mrs. Innes's mother, assumed and filled with success a mother's part to her little ones, as well as that of a careful house-manager.

This aunt, Janet Dallas, introduced her little niece, at the age of ten, then unable to speak a word of English, to the Kilravock nursery as assistant nurse and playfellow to the children. The little maid shared the instructions of tutor and governess, dancing and other masters, who at Kilravock were always resident while employed. Little Annie might have made a conventional "lady" of herself if she had chosen, as nature had made her a real one. But pretty, graceful, full of natural refinement and excellent sense, she was devoid of ambition or of special talent. She loved the nursery and its innocent pastimes more than the school-room, with its rules and lessons. She learned to read her Bible, and know and love it with the most fervent, though always tolerant, Presbyterian piety; she also read with her young charges much miscellaneous romantic literature bearing on the history of

her much-loved Highland home. This she never forgot, and it was the nursery mental food of Mr. Innes's young family.

She remained from the time of Mrs. Innes's marriage in Mr. Innes's house, and died there a few years before himself, loved and cherished by her former nurslings, male as well as female, with a not less than filial love. She was the constant companion of Mr. Innes's boys and girls long after she was unnecessary to them as a nurse, and was consequently frequently included in all the more simple parties of pleasure. Mr. and Mrs. Thomas Innes, Mr. Cosmo Innes's hosts for the time, were naturally frequently included in the Dalmeny picnics. While the claret cooled in a limpid stream, and the youngest of the bearers rested by the hampers, many were the merry walks and talks of their elders along these beautiful shores—many were the verses, half-sentimental, half-jocular, there composed, sure of the ready applause of the large young party.

At Queensferry flowers grew well, and were of course sedulously cultivated.

CHAPTER IV.

SHERIFFSHIP AND LIFE IN MORAYSHIRE.

Barnbougle—Moray—Nairn—Guardianships—Miss Mary Smyth—Knockomie—Great acquaintance—Manner—Old Highland homes—"Moray meal-mobs"—Highland circuits—Badenoch—Gaelic interpreter—The Findhorn.

It was under the old walls of Barnbougle, in 1840, that Mr. Innes communicated to his delighted family the news of his appointment to the Sheriffship of Moray. While his appointment was uncertain the keenest anxiety was felt by them regarding it, and one of his children has told the present writer how on the eventful day which was to decide the question, and bring their father to their arms, successful or unsuccessful, at Barnbougle, they all watched his tall figure as it slowly traversed the turf, and argued certain unsuccess from the unusual slowness of his pace. His first words joyfully ended the suspense. The next moment showed the cause of his slowness of movement. From the pockets of his coat he drew two infant

rabbits which he had caught for his children on his path; to avoid injuring them he had slackened his usually rapid pace.

The appointment to the Sheriffship of Morayshire was the one of all his appointments which caused Mr. Innes most pleasure.

Though not his own native county, Morayshire was the home of his race, while the adjoining little county of Nairn, which was included in his shrievalty, contained the fine old ancestral castle of Kilravock, the home of his wife's family, now inhabited by her brother.

The county contained many relations and friends of Mr. Innes, and such of the resident gentry as were not his friends when he became Sheriff soon became so, irrespective of political differences in many instances.

The reality of their esteem for him was testified by his being in several instances selected as guardian or trustee to the families of deceased Morayshire lairds, a selection which from first to last cost him much disagreeable trouble.

His shrieval duties required that he should visit Morayshire at least twice each year, once in spring, and once in autumn. The earlier of these two visits was generally paid alone, the young family being at that season of the year busy at school in Edinburgh;

the autumn migration was frequently a large one, including the greater number of the young people. Their headquarters were always Knockomie, the hospitable house of an ever kind cousin of Mr. Innes's —Miss Mary Smyth. About twenty years Mr. Innes's senior, she lived till within a short time of his death. Her feeling for him through life was that of an almost maternal affection, and he and his were ever welcome inmates of her house. Mr. Innes's acquaintance gradually extended beyond the limits of his shrievalty, and even across the Moray Firth. His first visit to the late Duke of Sutherland at Dunrobin was paid for some reason of business, but a friendship grew out of it which brought each year a pressing invitation to renew his visit, which was several times complied with. Here, at Taymouth (Lord Breadalbane's), Floors, the residence of Mr. Innes's family chief the Duke of Roxburghe, where also he was on terms of friendship, and at other noble mansions, Mr. Innes formed a pretty extensive acquaintance among the aristocracy, a circumstance which of course caused envy in some quarters, and gave occasion to the accusation of Mr. Innes's being fond of great acquaintance, a courtier, etc. None ever dared to apply to him the name of "sycophant," or to insinuate that he ever sought the favour of persons of rank by

unworthy arts. Of these he was obviously and manifestly incapable.

Against the accusation of a taste for high society Mr. Innes never cared to defend himself. It appeared to him right, and as it ought to be, to love the highest degree of refinement, and by no means wrong to admire and enjoy magnificence. He could do so without the slightest degree of that wicked envy which, for many men, makes association with social superiors unwholesome.

He valued no man for his rank alone, neither would he refuse to recognise merit of any sort although united with high rank.

No one among his numerous acquaintance was preferred before another on account of his social degree. A request for information or other real service from the poorest, obscurest student, was complied with as readily as a similar application from the Queen, who was a frequent correspondent.

With superiors, equals, and distinct inferiors (his own dependants, servants, and so forth), Mr. Innes's manner was equally happy, and the latter idolized him. There was an intermediate class with whom it was not so, especially in later life, and when Mr. Innes's intercourse with all, except those really intimate with him, was (as has been described) much

marred by his nervous deafness. With such persons as were "gentlemen" or "ladies" by courtesy only, Mr. Innes always found intercourse extremely difficult, and the consciousness that when most bent on kindness towards them he not unfrequently gave offence, led him to avoid them even more than for his own sake he would have done. This defect was in great measure supplied by Mrs. Innes's superior tact, possibly inborn, but also probably a part of her early education as daughter of a Highland laird, a personage who sixty years ago was still not only territorial superior, but also hereditary chieftain of the larger number of the persons with whom he associated.

Sydney Smith talks of a Russian autocrat and a Highland laird as being the two sorts of persons who, from the cradle to the grave, probably never encounter any one who ventures to contradict them. Sarcasm apart, there still is, and there undoubtedly was much more sixty years since, something very like the atmosphere of a Court about such mansions. The children brought up in them must perforce have learned not only the general duty of courtesy to all their parents' guests, but also how to divide and apportion that courtesy to the claims and tastes of the countless visitors of almost all classes who constantly crowded the hospitable halls of such a house as Kilravock. Visitors of the nondescript

class were very generally handed over by Mr. Innes to his wife—sometimes, it must be confessed, to have the wounds bound up caused by the somewhat overpowering condescension of the really kind-hearted Sheriff.

During Mr. Innes's sheriffship occurred in Morayshire the only *émeute*—riot, rebellion against the law, in fact—which has for almost a century disturbed the peace of our contented country.

This was an indirect effect of the Irish famine. In the first year of the potato-disease in Ireland, the harvest having been unusually good in the ever fertile "*laigh*" (low) country of Moray, and rumours of the famine having reached the peasantry at the same time that they saw an unusually large export of produce from their ports, they suddenly became possessed by the idea that famine might visit their shores next, and that it was their duty, or at least their interest, to prevent food from leaving them. Of course on the first intelligence of the manifestation of this lawless spirit, the Sheriff, as in duty bound, hastened to his county. It was in the depth of winter. Here, as in every instance in which a Scotch mob have had to be encountered, the affair proved much more serious than it at first appeared.

The people, in no instance needlessly violent, were strong in their dogged resolution.

In a mêlée at one of the small shipping ports of the county, the Sheriff succeeded, with the sole assistance of the constabulary, in taking prisoner, and committing to the old Elgin jail, the only person of at all the better class who had had the folly to mix himself in this ignorant outbreak.

The alarm of the better class of people in the county towns was considerable, far greater than Mr. Innes considered at all justified by any circumstance which had yet taken place. They knew their neighbours of the sea-port and fishing villages better than did the good Sheriff. Solely for the reassurance of the jailer and his family, Mr. Innes and his Sheriff-substitute, Mr. Cameron, arranged to spend the night after the arrest within the precincts of the jail. They sat up together till past midnight, and soon after that time, when they were contemplating going to bed, convinced that nothing would occur to disturb their slumbers, the little town appearing if possible quieter even than usual, a loud (not violent) knock was heard at the jail-door.

Sure the visitor was an unwelcome one, the Sheriffs took an observation before they even parleyed with him.

The little central square of the town, and all its avenues, were densely crowded with men, who had

assembled in entire silence, and of course by pre-arrangement, acting on a concerted plan. Asked what they wanted, they replied in well-set terms, by the mouth of one of their number, that they demanded the liberation of the prisoner that day arrested by the Sheriff's orders, and that his liberation they would procure, by any means which might be necessary thereto, sorry as they were, usually peaceful subjects, to find themselves acting in opposition in this instance to the law, and still more sorry as they should be to injure the persons of any of its officers. Any one can perceive the extreme difficulty of Mr. Innes's position. He was a man incapable of unmanly fear, even had there been reason for it, and on him devolved the duty of maintaining the majesty of the law, if possible. But the old jail (since replaced by a new one, greatly in consequence of this incident) was no place of strength.

It had not even an outer wall. A few well-applied blows would have driven in the door, and then the overwhelming force outside would have been masters of the situation.

In the few instants which he had for reflection, Mr. Innes's dispassionate mind clearly saw the necessity of temporary compliance. He reasoned with the people, assured them of the certainty of their ultimate

defeat, and dwelt on the severity of punishment sure one day to fall on a set of insignificant persons arraying themselves against the whole force of their country. His words were vain, and the scene ended by the Sheriffs giving up their prisoner to this truly Scotch mob. How to *quickly* turn the tables on them was not quite so clear as it would be now. There were then no telegraphs, no railways, the coasting steamers did not ply in winter, snow was on the ground, and even the mails uncertain. A mounted official riding day and night had to make his way to Edinburgh, actually the nearest military station, before the assistance of the soldiery could be obtained. Many days had to intervene before they could arrive, during which time the people preserved their attitude of sullen defiance, and the little trading vessels waited in vain for their freight. And even yet the strength of the resolute people had been under-estimated.

The first detachment of soldiers were ordered to escort the farmers' grain-carts to the place of shipment. Still, without unnecessary force, but with all the strength necessary, the fishermen, *and the fisher-wives,* opposed their stout persons in overwhelming numbers to the arms of the soldiery. The unwillingness of men to strike, in resisting women, is well known, and the stout amazons of the Moray Firth

lifted the soldiers, actually lifted the men out of their husbands' way (the testimony of one stout fellow who had been so lifted was, "I was no better than a baby in her arms"), while these last took the places of the country carters, turned their horses' heads inland, and again succeeded in preventing their valued meal from leaving their country. Additional military force had to be sent for, and to arrive, before these real rebels were subdued.

Mr. Innes preferred waiting, sure of ultimate victory,—would have preferred that or any expedient to the desperate one of ordering to fire on his beloved people. To his calm courage and patience alone we owe it that the annals of our country were not stained by such a blot on this occasion.

The subsequent trials in the High Court of Justiciary in Edinburgh of the ringleaders of these Moray meal-mobs were a subject of most painful interest to the tender-hearted Sheriff.

As soon as ever the spirit of resistance was subdued, the Sheriff felt towards those ignorant subjects of his like a tender father, as he was, to a penitent child. He visited them in prison, supplied their families with money, became name-father to their children, and many must still remember his passionate, uncontrollable grief, his tears and sobs in open Court, on their

being sentenced to what seemed to him cruelly severe punishments.

The most interesting part of Mr. Innes's shrieval duties consisted in his so-called Highland circuits. While the northern (seaboard) part of Morayshire is flat and fertile, partaking more of the English character of scenery and of climate than any other part of Scotland, and is an entirely English-speaking district, its southern extremity, extending up both banks of the Spey, runs into the very highest part of Badenoch, one of the wildest, though not the most beautiful, parts of Scotland. Its character of almost undiversified moorland has preserved it more than any other part of the Highlands from the inroads of tourists, and it remains one of the greatest strongholds of the Gaelic speech. Mr. Innes was entirely ignorant of Gaelic, and not at all partial to Highlanders.

In the administration of justice in these very remote parts a Sheriff has to be his own clerk, procurator, agent, and advocate for both sides,—in short, to perform himself alone the whole legal business of the Court, held in some mud-floored hut. Neither this circumstance, nor the extreme smallness of the interests involved, in the least diminished Mr. Innes's desire that actual justice should be done in each case; nay, the feeling that the whole interests of both parties lay

in his own individual hands increased his anxiety to fully understand all the bearings of each case before he gave a decision on it. But, alas! Mr. Innes's ignorance of the vernacular necessitated the employment of an interpreter, and the feats of this functionary often caused him the most poignant distress. While the Sheriff himself was with laudable patience endeavouring to make up his mind which party was to blame in a question of perhaps the trespasses of a cow or the errors of a sheep, the countenances and gestures of those around him would suddenly reveal to him that his interpreter had made up *his* mind on the merits of the case. In all probability he had done so before he ever came into Court, being necessarily a neighbour of the parties concerned, and during the Sheriff's cogitations had assumed to himself the position of judge, and was administering, entirely unsuggested, a hearty scolding (as from the Bench) to one party or the other. Notwithstanding these drawbacks, Highland circuits were in many respects very pleasant.

Mr. Innes either walked, rode, or, if accompanied by any of his family, drove himself in a one-horsed vehicle from the house of one of the resident proprietors to another. Inns there were none, or Mr. Innes did not need to seek them. Sometimes his ignorance of Gaelic, which prevented his acquiring information as

to his way as he went along, caused his losing it, and it not infrequently happened that these rude Courts had to wait a considerable time for the arrival of their wandering Sheriff.

The really Highland, the Celtic, part of Morayshire is more wild than beautiful; but that part of the county which lies irregularly between its mountain region and its very lovely English-looking plain is of singular beauty, unsurpassed in any part of Scotland. The height of that beauty is reached in the valley of the Findhorn and its tributaries. Darnaway, Altyre, Logie, Sluie, the Ramphlet Dumphail, Relugas, Coulmony, up to the Bridge of Dulcie—each of these names brings to the mind's eye its own scene of surpassing beauty, of a splendid river flowing between precipitous finely-wooded banks, of roaring torrents and black salmon-pools. All these scenes knew their Sheriff well, and he loved them passionately. If indeed he loved his native Dee more, it is unknown to the present writer. Possibly he did. His powers of loving were unusually great, and his love for Deeside may have lain too deep for speech. In the circumstances of his severance from it, it is even likely that it was not from a defect, but an excess of feeling, that he seldom mentioned it. Its degree of actual beauty is far inferior to that of the Findhorn.

CHAPTER V.

PROFESSORSHIP AND CLERKSHIP.

Miss Elizabeth Innes—History Chair—Peparation of Lectures—Archæological labours—Catholic leanings—"Scotland before the Reformation"—Religion—Death of Mrs. Smyth—Death of Mr. Thomson—of Mr. Innes's eldest son—Inverleith House and garden.

Soon after he became Sheriff of Morayshire, Mr. Innes and his family resumed occupation of their own house in Forres Street as their town residence. The house at the Hawes, South Queensferry, always an interesting and picturesque one, had gradually gained in beauty and in the interest of its inhabitants during their three years' occupancy. It was retained as her home by Miss Elizabeth Innes, who up to that time had been an inmate of her brother's house. It remained one of the many open doors among rural scenes of which Mr. Innes and his family were often glad to avail themselves. Mr. Innes often returned to the old quarters as his sister's guest, to enjoy a few days of quiet, either for the purpose of entire relaxation, or more frequently for the accomplishment of

some piece of literary work. The old house was often and long the resting-place of Mr. Thomas Innes during his long decline. Both brothers interested themselves in their sister's garden, which before her death contained a really valuable collection of roses, she attaching herself in particular to the culture of that queen of flowers, and preferring the hybrid perpetual varieties to any other. Exactly in the middle of his period of Sheriffship (in 1846) Mr. Innes accepted the Chair of History in the University of Edinburgh. The Chair, as a lectureship, had for some time been in a state of abeyance. The compulsory classes connected with the three professional curriculums had become so numerous, and students intended for any other than a professional life so few, that their attendance on any non-compulsory class was hardly possible. Mr. Innes was one of a series of distinguished and disinterested men who took the Chair, hoping to create an interest in their subject. They felt that it was utterly disgraceful to an ancient seat of learning, such as Edinburgh, that the great subject of History should have no place among her list of studies, that her students should have become so entirely utilitarian that they would learn nothing which did not directly lead to earning money.

The Chair of History had no salary attached to it, while its Professor had annually to pay certain College

dues amounting in all to between £30 and £40. This sacrifice was a trifle compared to the anxious and conscientious labour which Mr. Innes bestowed on the writing of his lectures, striving with all his powers to render them attractive and if possible popular, and at the same time no merely popular course—strictly accurate, and a suitable guide for students in pursuing the subjects further for themselves. His first courses of lectures were delivered gratis, no fee whatever was charged, and Mr. Innes was gratified by a large attendance. At what appeared to him the proper time, when he hoped that some taste for his subject had been aroused, and he could imagine without vanity that his fame as a lecturer had to some extent spread itself abroad, he, with the advice of those interested in the success of his teaching, began to demand the usual fee. His class instantly, ludicrously, dwindled down to a mere handful. He lowered the fee ; it was no use—no one came ; he again demanded nothing, and again his benches filled well. He acquired the experience that Scotch people are shrewd enough to know a good thing although offered them without any price affixed, and will accept it on these conditions under certain circumstances, whereas in the richer sister country articles offered gratis are at once assumed to be worthless, and declined. Mr. Innes's listeners to

his gratis courses were such as any lecturer might have been proud of, but they were not *bonâ fide* students; of these a small number of irregulars only frequented him. He never could but prepare his lectures with the most elaborate care, and after persevering for a number of years, he followed the example of his predecessors. He found the odds against him too strong, the degree of energy expended by him quite disproportionate to any results to others.

He allowed his name, for the credit of the University, to remain on the Calendar as Professor of History, but he gave up lecturing till the class was transformed, and rendered compulsory. Then, under the name of Constitutional Law, he again resumed his courses of lectures.

Regularly as he always prepared himself before meeting his students, his was, as may be supposed, the very opposite case from that of one who has to *read up* a subject at the same time that he endeavours to teach it. Before the year 1846, in which he entered on his professorial duties, he had got thoroughly steeped in historical lore, drawn from the fountain-head, from the earliest existent documents, illegible to almost all others than himself. To know or enumerate all he read, or even all he wrote, on these subjects is obviously impossible. From first to last he edited almost all the valuable Cartularies of the old religious

houses, with some academical and municipal records of much importance. To the Maitland Club he had, in 1832, contributed the *Registrum Monasterii de Passelet*, for the Bannatyne Club he had, in 1837, edited the *Liber Sancte Marie de Melros*, 2 vols.,—a contribution appropriately presented by the Duke of Buccleuch,—the *Registrum Episcopatus Moraviensis*, also in 1837. For the Maitland series the *Registrum Episcopatus Glasguensis*, 2 vols., in 1843; for the same series, and in the same year, also the *Liber Ecclesie de Scon*, in 1845 the *Registrum Episcopatus Aberdonensis*, and in 1846 the *Liber S. Marie de Calchou*. This, at that time, in one sense, new line of study, of course led Mr. Innes to a more intimate knowledge of the ecclesiastical history of his country than was possessed by any one else. He looked with great admiration on the strong old system which, by peaceful means, had done so much for the civilisation of every country in Europe, but for none more than for Scotland. He loved to realize what must have been the bodily presence and daily life of the old monks whose hands, long mouldered to dust, had traced the characters he had learned to decipher, and had rendered readable to others.

To him this was no field for the play of the imagination alone. He knew these men by their works,

by the lands they had drained, the trees they had planted, the gardens they had cultivated, the serfs they had liberated, the books they had written. His admiration was stimulated by that vulgar abuse of the Old Church which formed then so large a part of the talk and the writing of those who knew nothing about it. Historically, like M. Guizot, he was a Roman Catholic. Like him also, he never thought of giving his own personal allegiance to the system. Perfectly seeing that the Roman Catholics had the logic of Christianity on their side, he also, like Guizot, preferred being illogical with all the world;—this, although not logic alone but also many of his tastes and feelings leant towards Ecclesiasticism. His writings were so entirely on the Catholic side that distinguished Catholics, among others M. de Montalembert, sought him, and as both a friend and an historical authority valued him highly.

A considerable amount of prejudice in the then state of furious anti-Catholic feeling arose against him as a Catholic in disguise. He would never introduce any set of young men to the study of the history of their country without warning them that they must as their first step put from them much which they had sucked in almost with their mother's milk as utterly and wildly false, and become willing to learn of the old

monks whom they had hitherto regarded as a sort of demons, *not* because they were perhaps personally angels, but because they were for their time the only persons who had anything to teach, the only people who had learning and literature enough about them to send their records down to our own day. Mr. Innes did not like the reputation of being a Roman Catholic, not (as some of his friends for him) from fear of the injury which his worldly interests might suffer from it, but rather from an opposite feeling, from disliking to accept sympathy or interest to which he felt he had no claim. To show that he could see both sides of the question, he wrote and published his "Scotland before the Reformation" in the *North British Review.*

At the time it was written, it was perhaps the most popular of his *Review* articles, but has since been less noticed or remembered than any of them. Mr. Innes was a member of the Episcopal Church. As little inclined to quarrel with any one for his religious opinions as for his political ones, his sympathies (as may be gathered from what has been said) lay with the high side of the Broad Church. For the opinions of Evangelicals or Presbyterians he had no sympathy, though for individuals among them he felt much esteem.

About 1850 the diminution in the numbers of

Mr. Innes's family, through his sons leaving him to seek their own fortunes, and also the constant longing for even a little of the air and verdure of the country, led him to resell his house in Forres Street and take one in No. 15 Inverleith Row. Here he began the culture of roses for the first time in a garden quite his own. It was but the "back green" of an Inverleith Row house, but the situation is well suited to the growth of flowers, and the garden was very successful.

While in Inverleith Row Mr. Innes had the misfortune to lose his eldest sister Mary, Mrs. Smyth. She was the wife of a successful merchant in Glasgow, brother to the ever kind cousin, Miss Smyth of Knockomie. She with her family had come to spend Christmas with her brother Cosmo and his. She died of cholera after only one day's illness.

In 1852 the death of his valued friend and early patron, Mr. Thomas Thomson, opened to Mr. Innes the office of Principal Clerk of Session, for which he exchanged his much-loved Sheriffship. It was with much regret that he closed his official connexion with his county. For a time he entertained the hope that he might be allowed to retain both offices. There had been one example of such favour, in the case of Sir Walter Scott, who retained the

Sheriffship of Ettrick Forest (Selkirkshire) while also holding the office of Principal Clerk of Session. In Mr. Innes's case the precedent was not followed. He did not of course entirely cease to visit Morayshire on his legal duties there ceasing.

In 15 Inverleith Row he received the melancholy tidings of the death of his eldest son, a talented young man of twenty-four, beginning to distinguish himself in the Indian army. From thence also his eldest daughter left him to become the wife of Mr. John Hill Burton.

About the year 1861 or 1862 the desire for more extensive garden ground led Mr. Innes to remove from No. 15 Inverleith Row to the large house crowning the little pine-covered hill immediately behind it, from whence, when windows were open in No. 15, the cooing of the wood-pigeons could be heard, and where a stray partridge or pheasant occasionally took shelter. The house is surrounded by many acres of undulating wood and meadow, and possessed, even when Mr. Innes went, a very beautiful flower-garden, commanding a fine view of the town and its surrounding hills. Needless to say that Mr. Innes greatly improved the garden, which remained his greatest pleasure till his dying day. He increased the size of the greenhouse, and made a good kitchen-garden.

CHAPTER VI.

INVERLEITH HOUSE—CLERKSHIP—PROFESSORSHIP—AND "LAST SCENES OF ALL."

Death of sons—Visit from and departure of other sons—Mary—Mr. Robert B. Finlay—Last expressed wish—Romance with a happy ending—Business, Professional, Professorial, and Literary—Lighter labours—"My Last Chapter"—Opinions, political and social—Society—Amusements—Vacation rambles—Approach of old age—Mr. Grant—Skill in deciphering—Appearance—Dress—Last excursion—Death—Burial—Conclusion.

Two other deaths of promising sons darkened several of the years at Inverleith House.

Mr. Innes's fourth son, Francis Jeffrey, died in circumstances exactly similar to those of his eldest brother John, also in India. Hugh, the second son, lived to come home from China an invalid from rheumatism, and to die, after a lingering and agonizing illness, in his parents' arms. Nothing could surpass Mr. Innes's tenderness towards sick members of his family. From the very excess of his tenderness he was rather unwilling, in the first instance, to allow the fact of the existence of illness. He would always in slight illness,

or the beginnings of illness, try to persuade both the sufferer and himself to disregard them, to amuse them away, and so forth; but when an illness became serious and unquestionable, he would watch and tend the invalid like a woman. He shrank from none of the sick-room offices of love, often in the infancy of his children personally nursing them in their childish illnesses, watching nights by them, though his days were filled with so many weighty matters.

From Inverleith House Mr. Innes's second surviving daughter, Margaret Isabella, married, becoming the wife of Captain Forbes Mackay, of Carskey and Black Castle.

His youngest son, Cosmo, after many regretful objections on the part of his father, and many efforts to procure him employment as an engineer in this country, left him to take service under the Indian Government, for the construction of railways in India.

About the same time he was gratified by a visit from his now eldest surviving son, James, Chancellor of the Exchequer in Borneo.

In the latter years of his life Mr. Innes's home was brightened by only one remaining daughter, Mary, his youngest child. Very shortly before his death she promised to become the wife of Mr. Robert Bannatyne Finlay, barrister-at-law, in London.

Lonely as her departure would have left him, Mr. Innes's high opinion of Mr. Finlay made him earnestly approve the marriage, and his last expressed wish, within two days of his death, but while he was in perfect health, was that "should anything happen to him (horrible, significant, in his case prophetic, phrase), he begged that Mary's marriage might not be deferred." It had been fixed for the 26th of August, and on that day it took place.

After some years' stay at Inverleith House a considerable accession of fortune to Mr. Innes took place, in consequence of the terms of Mrs. Innes's mother's marriage settlement. Many unexpected and deeply-lamented deaths left a large estate to be divided amongst heirs-female. Thus Mr. Innes's romantic marriage proved, even in the most worldly sense, the wisest step he could have taken. It was owing to it that his latter years were relieved from all pecuniary anxiety either for himself or those whom he left behind him. Pecuniary anxiety was a burden Mr. Innes was particularly ill-fitted to bear. His mind was not naturally a very practical one, and he shrank from the consideration of small details with insuperable aversion. There was something in him thoroughly *large*, and he disliked the contemplation of anything on a small or strictly regulated scale.

The last years of Mr. Innes's life were the busiest of the whole. The duties of the Clerkship being in great measure merely routine, and entirely performed in Court between the hours of 10 A.M. and 4 P.M. on five days of the week for six months of the year, there were large margins of time left which Mr. Innes did not fail thoroughly to utilize. For some years he lectured six days each week during the whole session at 9 A.M., immediately before his six hours of Court work. That the remaining time was fully occupied, a list, undoubtedly incomplete, of the work accomplished during these and the preceding years, will sufficiently testify.

Continuing his archæological labours as though the work of the Professorship had in no degree infringed on his leisure, we find that he edited in 1847 the *Liber Insulæ Missarum*, in 1849 the *Registrum S. Marie de Newbotle*, between 1850 and 1854 the two first parts of the *Origines Parochiales Scotiæ*, in 1855 *The Black Book of Taymouth*, from the Breadalbane charter-room, and the *Liber S. Thomæ de Aberbrothoc*, 1856, as well as an octavo memoir of his friend, Thomas Thomson, the joint gift of Mr. Innes and J. T. Gibson-Craig to the Bannatyne Club. In conjunction with Mr. Robertson he edited the *Monumenta Alme Universitatis* (3 vols.), in 1854; in the same year also the

Fasti Aberdonenses, in 1856 *The Brus of Barbour,* with many new readings, and in 1859 *The Book of the Thanes of Cawdor.*

As the retirement of one friend led to Mr. Innes completing the Acts of the Parliament of Scotland, so the death of another led to his name appearing as sponsor for the Collection of National Manuscripts, originated by Mr. Robertson, in conjunction with the present Lord Clerk-Register, and issued in a style greatly superior to the English publication of the same kind.

For the last few years his principal occupation was the editing and preparing for the press the Rescinded Acts, and indexing the folio edition of the Acts of the Scots Parliament. No outsider has any idea of the immense difficulties involved in constructing a satisfactory index to the whole series of Acts (Thomson's folio edition) from 1124-1707. This work is now within a few months of completion. The task was begun in July 1865, and the first part of it, which has been completed some time ago, though not yet given to the public, comprises between 2000 and 3000 pages, printed from the original records of Parliament, supposed at the time when Mr. Thomson's series was published to have been destroyed, but since discovered in the State Paper Office in London,

whither they had been conveyed by Cromwell. To the last of these volumes is added an appendix illustrative of the government of Scotland during the Commonwealth, embracing "The Acts and Ordinances of the Government, Letters and Papers of State," and other documents collected by Mr. Innes from the British Museum, Journals of the House of Commons, and Record Office. The second and most laborious part of the undertaking—the preparation of the index—has progressed alongside of the first, and is now far advanced. When it is remembered that the index to the Rolls of the Parliaments of England, covering half the period included in that of the Scots Acts, took twenty-two years in completion, it will not be thought that the latter has progressed with halting footsteps. All this severe labour did not at all preclude the accomplishment of many lighter tasks. Mr. Innes was a working member of the Edinburgh Antiquarian Society, and his fugitive papers throughout the Transactions are numerous, varied, and generally interesting. Honourably excelling in Record study himself, Mr. Innes sought to promote the spread of all those local associations through which such knowledge could be spread and encouraged, delivering some years since, our readers may recollect, an address to the Glasgow Archæological Society, suggestive of many

lines of inquiry worthy the attention of members. The Society also honoured itself by making the Professor an honorary member. As a member of the Municipal Corporation (Scotland) Commission of 1845, Mr. Innes visited many of the burghs, and prepared some of the most elaborate reports included in the Blue-books submitted to Parliament. The General Report, so full of sound constitutional knowledge, was understood to be the work of Mr. Thomson, aided to some extent by the Secretary of the Commission, Mr. Phineas Daniel, late Sheriff-clerk of Dumbartonshire.

Mr. Innes edited many volumes of family and local history. Two long labours of pure love were his histories of the family of Innes and of that of Rose.

Such persons as pretend to despise good descent ridiculed these works, or rather his taking the trouble to perform them. He considered the subjects worth his trouble, and he was the best judge.

His Preface to his friend Mr. St. John's *Natural History and Sport in Morayshire* was also pleasure rather than work, the subject, the locality, and the author, being alike objects of his affections.

His *Scotland in the Middle Ages*, and his *Sketches of Early Scotch History*, being collections or compila-

tions from other works, cannot count as very great labours. The first is an adaptation of his first course of lectures, the second selections from the Prefaces to the Chartularies. Both are about the freshest, fullest, and at the same time most readable books on Scotch history which exist.

They are good reading for any one, but particularly suitable for the perusal of young people, whether they have advanced far in their historical studies, or whether, on the contrary, they require to have their interest in the subject stimulated. Mr. Innes's own thorough knowledge of the subject which he could handle thus lightly (though always accurately) is displayed perhaps in greatest perfection in his introduction to the first volume of the *Scots Acts of Parliament*, which is indeed a masterpiece of learning regarding the old constitution of Scotland in Church and State.

The value of his lectures on Scottish Antiquities is of course only known to those who heard them. They were latterly delivered before a select body known as the Juridical Society; but in the first instance fell to be prepared for the information of a few gentlemen of his own profession who gathered in the Advocates' Library in the cold dark mornings of the winter of 1868-69. Untoward as the hour of meeting

was, Mr. Innes kept the little company together by always providing a fresh story, showing how some simple mediæval custom was at the root of much of the active and complicated juridical systems of modern times. Did he intend to speak of investiture and its symbols, some cases, he might say, of disputed seisin "which were lately argued in our Court led me to look a little into the history of symbolical delivery of heritages, and of symbols generally;" and then he would pass on to a minute description of the different methods of taking heritable state and seisin—whether *per fustem et baculum*—by staff and baton, or in the homely form which Bailie Macwheeble would have understood the Baron of Bradwardine—*per terræ et lapidis traditionem*—by giving of earth and stones. Trial by jury he found shadowed forth in an ecclesiastical dispute of date 1233, regarding the lands of Monachkeneran on the Clyde—claimed by the monks of Paisley as belonging to their church of Kilpatrick, but which were held by a contumacious layman, Gilbert, the son of Samuel of Renfrew, the property in dispute being described as a big house made of wattles—*domus magna fabricata de virgis*—intended for the entertainment of pilgrims journeying to the shrine of St. Patrick. "Another inquest upon a brieve," he would say, "you will find taken at the

Castle of Dumfries, before the bailies of our Lord the King, upon the death of Adam the miller, who was killed in a street brawl by Richard, the son of Robert —the witnesses in this case (the men of the vicinage) testifying on oath that the survivor, Richard, was a true man—*fidelem in omnibus*—but the other, Adam, was a thief, *et defamatum*, a phrase which I suppose we may translate into 'habit and repute.'" Some other morning, and possibly illustrating a side feature in the War of Independence, he might have a word or two to say about the letter of the Bishop of St. Andrews to Edward I., giving an account of his journey, along with others, to bring home the Maiden of Norway, when they heard at Perth a lamentable rumour sounding through the people—*insonuit in populo dolorosus rumor*—that the little maiden was dead.

Among these lighter labours may be mentioned his charming little book on Surnames, and last, though not least, his slight memoir of Dean Ramsay, considered at the time it was written so small a performance as not to be worth mentioning, now, from the circumstance of its being written but a few months before his death, as well as from the tone in it which so well corresponds with that circumstance, the most interesting of all.

As previously mentioned, Mr. Innes was several

times employed in Peerage cases, and had on such occasions to speak before the House of Lords. His opponent in one case at least was the famous peerage and consistorial lawyer, Mr. Riddell. The opponents had often occasion to contend over pedigrees, one of almost local interest, known as the Montrose claim, involving heavy litigation, and a corresponding expenditure of money. On behalf of the petitioner, the Earl of Crawford and Balcarres, Mr. Riddell contended that a patent of the Dukedom of Montrose of 1488, as distinguished from the Graham title of Old Montrose, was still valid, and that his client was the heir-male under the limitations of the patent. Mr. Innes, on behalf of the present Duke of Montrose, undertook to prove that the alleged charter or patent, if ever completed, was annulled by an Act Rescissory the same year; and second, that the claimant could not be the heir under the limitations of the patent. In August 1853 the House of Lords decided against the claim set up by the Earl of Crawford.

So long ago as the publication of the Register of Paisley Abbey in 1832, and of the Chartulary of Moray in 1837, Mr. Innes had entered into a controversy with Mr. Riddell regarding the legitimacy of the Stewarts. The critic's writings have been humorously described as valuable from their very badness,

since they had been recommended by teachers of composition as containing a complete collection of every form of depravity of which the English language was susceptible. Mr. Innes was more magnanimous. "Mr. Riddell's collected MSS.," he said, "which our library owes to the generosity of Lord Lindsay, will be found, no doubt, a treasure to the pedigree-hunter, especially if he loves a little old scandal to season the dish."

One or other of these two occasions on which the rival antiquaries were pitted against each other, or some other similar occasion, actually led to at least one of the two practised advocates (Mr. Riddell) losing his temper, and coming as near personalities as such a person could be supposed to do. They mutually attacked each other's personal genealogies, thereby no doubt furnishing some fine fun for those who "care for none of these things." Mr. Innes was supposed to have the last word in the paper war, in a little unpublished leaflet which he designated "My Last Chapter," and in which throughout he affected to write as Mr. Riddell, himself exposing while deploring, what he cannot but feel to be all the weak points in his own case. The mighty matter in dispute was whether the family of Riddell had bestowed its name on their territory of Glen Riddell, or

whether instead they had derived their name from that territory. In reply to an insinuation or assertion to the latter effect by Mr. Innes, Mr. Riddell retorted by bitter sneers at one whom he styled "the naked Berowald," meaning thereby an ancient individual usually designated Beroaldus Flandrensis, Mr. Innes's most remote known ancestor, who came over from Holland and formed a sort of little Holland on the flat shore of Morayshire, drained a sea marsh, and there established himself and his family to grow rich, bestowing on—or receiving from—(ah, there's the rub!), this country the name of Innes. Mr. Riddell (probably justly) maintained that there was no evidence of this personage having any name at all, except that of Berowald (*Flandrensis* merely denoting him a Dutchman), nor any property save his skin, *until*, etc. "My Last Chapter" was by some thought amusing. Others (perhaps better judges) thought Mr. Innes's talents did not lie in the sarcastic vein.

It is hardly necessary after all that has been said of Mr. Innes's strong local attachments, to say that, although never narrow in any of his sentiments, he was thoroughly and enthusiastically a Scotchman.

He maintained the advantages both of patriotism and of local attachment on philosophical grounds.

Politically he was a Whig, had exerted himself like other men of his then standing to further the passing of the Reform Bill. After that his part in politics, though consistent, was not active. In the smaller sort of politics, local or municipal affairs, he took hardly any part. The only matter of social interest in which he was ever persuaded to exert himself much was in behalf of the little band of female students of medicine in their contest with the University of Edinburgh, for permission to complete their medical studies and graduate there.

He was on every occasion their staunch friend. Though shrinking a little in his fastidious delicacy at the idea of some of what these ladies would have to pass through in the course of their studies, he yet felt that all objections to their career were matters for their consideration alone, that the public ought to feel deeply grateful to them for proposing to undertake tasks in some instances so disagreeable for the future hope of serving their fellow-creatures, and with real chivalry he would, as a matter of justice, have had women forcibly excluded from no field or career whatever.

He said that he himself would be glad to see them enter the Law classes as students, and through life he anxiously furthered the views of all women with

whom he came in contact in their aims towards art and literature. He liked to have the ladies of his own family share his life and interests as fully as possible, and concealed none of his pursuits from them in which he could hope they would take any interest. He liked them to walk and ride with him, not in a "*ladylike*" way merely, but to accompany him in long journeys on foot or horseback, and even to be with him on his sporting excursions as far as their strength could possibly carry them. Beyond the limits of his own family he had some highly-valued female friends; they were at once accepted by wife and daughters among their most intimate acquaintance. He was an excessively indulgent, over-indulgent parent, to sons especially, shrinking from exercising any authority over them at all. The exercise of authority indeed was not one of his strong points. A little very mild warmth of temper rendered him sometimes terrible to very timid persons. The fact no sooner dawned on him than he sought to reassure them by every possible concession, yielding of course at once and for ever any point which appeared to have caused distress, or in other instances punishing himself and not the culprit by proudly withdrawing a just claim or objection because it was not immediately complied with in a proper spirit.

But to return to Inverleith House and the latter years.

Mr. and Mrs. Innes's circle of acquaintance had by that time become very numerous, and those who remembered the smaller and rarer assemblages of Ramsay Lodge and South Queensferry felt that the more extended and more conventional society of Inverleith House was not an unmixed improvement. At Inverleith House visitors seemed never to cease. From morning to night the beautiful croquet lawn was bright with gay young figures; the *nacking* sound of the croquet-balls never intermitted while the croquet rage lasted, and when it had passed young people still seemed to find the lawn attractive, shaded by fine trees, backed by Mr. Innes's roses, and with its splendid view to the front.

In the evening the handsome reception-rooms were often crowded with large parties assembled for music and dancing—for conversation they were far too large.

During the day Mr. Innes was of course either at Court or engaged in his private rooms. He would often in the course of a day's study descend to his garden to refresh himself by a visit to his flowers, or to talk to the gardener about their management, which was entirely under his own personal direction, although his gardener was a skilful one. On these occasions he would talk with his unfailing politeness

to any guests, young or old, rich or poor, whom he might happen to encounter. In evening assemblages he always bore his part.

Though with a natural inaptitude for music, he had, to please his family, who were excessively fond of it, so far cultivated a taste for it as to enjoy some sorts of it, and though he had never himself loved dancing he looked with the kindest indulgence on his young people's pleasure in it.

Never himself having cared much for any game either of chance or skill, he yet entirely approved of them all. The active sort, such as golf and cricket, he considered invaluable safety-valves for the exuberance of youth, while the indoor pastimes, billiards, chess, whist, backgammon, etc., he regarded as no less excellent in often wiling away the weary hours of age or sickness. He was wont to boast that he *could* play at every game which had ever been invented, and for the amusement of others he readily joined in them on occasion.

Besides his garden he had at Inverleith House a good poultry-yard, which he visited frequently; the fowls all knew him, would gather around him and eat out of his hands. His tender heart made it often intolerable to him to have any of them killed.

Many of the vacations of these last years were

passed on the Continent; the spring vacation was very generally appropriated to a foreign ramble, always including Paris, for the sake of a few friends there; the longer autumn holiday divided among visits to friends at home.

Within the last half-dozen years came very gradually, and to no very striking extent, a change—the approach of old age.

Within these years there were serious threatenings of disease both in the region of the head and the heart. These threatenings were not very painful, nor of long continuance, and once over Mr. Innes never spoke of them, nor appeared to dwell on them. He was not for that the less aware of their significance. He knew well that for him a sudden death was likely to occur at no very distant day. He made all arrangements accordingly, and on several occasions when discussing matters of importance alluded to them. The last occasion on which he did so has been already mentioned, in connexion with the marriage of his youngest daughter. He often expressed his hope that he might live to see the termination of his elaborate Index to the Scots Acts, which, as we have said, was within a few months of completion at the time of his death. He had been assisted in this enormous task by several young men trained by himself, far the most skil-

ful of whom was Mr. Grant, who to this skill added much ability in other directions, most unusual diligence, and a devoted attachment to his venerable instructor.

This gentleman interrupted many pursuits of his own to become almost private secretary to Mr. Innes. He would come to Inverleith House at any hour of any day, stay as long as he was useful, and be useful in any way required.

Such assistance was of essential service to Mr. Innes, who now dictated much of what he composed, and besides, in a hundred ways, made Mr. Grant's eyes and hands give rest to his.

As if by a special providence favouring Mr. Innes's peculiar line of study, his eyesight, which was never remarkably strong, never failed at all with increasing years. He never required to use spectacles. In deciphering manuscripts, in which his skill has no successor, he used occasionally a strong magnifying-glass, as often as not, after using it, deciphering the, to all eyes but his, invisible characters with the naked eye.

Mr. Innes's appearance coincided in a remarkable degree with his character. Both his face and figure were extremely handsome, but even the persons most ignorant or incredulous of the science of craniology could not but admire the shape and size of his head. A well expanded, not disproportionately large, fore-

head was crowned by a splendid dome, very visible in later life because entirely bald ; this sloped gracefully down on well-rounded temples, and a moderate-sized cerebellum, clothed with fair hair, which latterly became grey. His figure being tall, and whole frame large, there was nothing disproportionate in the size of the head, though that was considerably above the average. He was entirely, even culpably, devoid of personal vanity, so much so that it was always difficult for his family to persuade him to discontinue the use of garments to which he had become accustomed, even after they had become in their phrase "utterly disreputable." In one particular only was he never negligent : he, his linen, and everything about him, were always delicately clean.

Among many habits of Mr. Innes's which made cynics smile, was that of leaving town the very day after the Court rose. Even Inverleith House could not keep him from his beloved mountains one day just at that time. His last excursion to the Highlands was not intended to have been a long one—not longer than it actually was. He left Edinburgh on the 21st July 1874, with his family and two other persons, for Port Sonachan on Loch Awe, and intensely enjoyed his week's stay there. Too intensely, those now think who witnessed that enjoyment. To them it now

appears that there was a degree of unnatural exaltation in the high spirits so delightful at the time.

In a letter written from thence on the Monday following, quite in his usual manner both as regards composition and penmanship, he says: "We have had a successful journey hitherto: Callander, Trossachs, Inversnaid, Tarbet, by Glencroe to Inverary, all in good weather and great beauty. . . . This is a charming place—the Loch and boats, and the people here—half fishers, half artists, all simple jacket-wearing folk; half ladies, and all of *them* musical. Yesterday (Sunday) we had hymns and psalms, every one helping the music. Another evening our own ladies and I rested on a shingly bed of the burn at Dalmally. It was very still and hot, and the ladies gave us several German songs, the hollow of the river and the old bridge making a fine sound-board, and in a few minutes the little population of Dalmally lined the parapets, and evidently enjoyed our music. . . ."

On Thursday, the 30th July, the party left Port Sonachan and drove to Killin. Early on the morning of Friday, the 31st, Mr. Innes was taken suddenly ill. The local practitioners, Dr. Tod and Mr. M'Diarmid, were quickly on the spot, but at once declared the case hopeless.

Mr. Innes had hardly a moment of full conscious-

ness after he became ill. The final struggle lasted unexpectedly long. His fine frame strongly resisted the approach of death. He continued to breathe till about eight o'clock on Friday evening. Dr. Keith, the family physician, who had been telegraphed for, arrived just too late.

On Saturday, the 1st August, all that remained of him, so justly beloved, was conveyed to Edinburgh, and on Wednesday, the 5th of August, his body was laid in the grave, in Warriston Cemetery, beside that of his son Hugh.

The writer has entirely missed his aim in this slight memorial if he has failed to convey to his reader not only some general idea of Mr. Innes's services to his country, but also some conception of his character as a man. A full critical estimate of the value of his literary labours to all future historical students the writer here humbly acknowledges himself quite incompetent to form. The direction of his investigations has been indicated. Only those labouring in the channels which he opened know the full extent of the debt of obligation owing to his memory for the unselfish patience, combined with acute discernment, which he brought to bear on his task. The writer is not one of those very exclusive persons who consider it so culpable ever to lift the veil of domestic privacy that they

would reduce all biography to a mere catalogue, at best a catalogue *raisonné*, of the works of their subject.

Where there was absolutely nothing to conceal, why should the veil not be modestly lifted, that those outside may learn how such persons live, and possibly profit by the example? The writer feels that from no other motive save that diffidence which was Mr. Innes's greatest defect, would he have himself forbidden a publication in which he himself, rather than his works, is given to the world. His works can speak for themselves. *He* would, no doubt, have considered his life too insignificant to be worth perusal; the writer can only hope those who have followed him thus far may not agree with him. Could *he* "have seen himself as others saw him," he would have felt that his own life was the strongest lesson which he could give on the advantages of the incessant energetic application to both sorts of education, which was his favourite subject of advice to youth.

His sincere opinion, amply borne out by his example, was that legitimate amusement of all sorts was no barrier to the highest intellectual attainments, and that those who placed books or literature in any form above the lessons of life, nature, and active exercise, made as great a mistake as those who neglect literature or learning for the pleasures of the hour.

His contempt for bookworms did not at all exceed that which he entertained for the opposite character, the illiterate trifler or mere sportsman. With such he could hold no converse.

The writer would be deeply grieved to find that he had hurt the feelings of any one living. It has been his earnest endeavour, in these pages, to avoid doing so. He hopes he has also avoided, while not attempting to conceal such frailties as existed, saying anything which could be considered disrespectful to the memory of one so recently dead. Frailties are but human, and as truly as it ever was or could be said of any one, is it true that this man's very "frailties leaned to virtue's side."